

Application No. 10,810,089

Response dated March 24, 2005

Reply to Restriction Requirement dated February 23, 2005

REMARKS

Applicants have carefully reviewed the Restriction Requirement dated February 23, 2005. In the Restriction Requirement, the Examiner asserted that the application contains claims directed to two inventions. In response to this requirement, Applicants hereby elect to prosecute the invention of Group I, claims 1-23, without traverse.

Applicants respectfully submit, however, that claim 24 is not drawn to a method of making a balloon catheter as indicated by the Examiner, but is rather directed to a balloon catheter made by a process as recited – i.e. claim 24 is a product by process claim.

The Examiner also indicated that the application includes claims directed to patentably distinct species, and that the applicant is required to elect a single disclosed species for prosecution on the merits. In response, applicants elect the species identified by the Examiner as a) Figure 2 for prosecution on the merits. Claims that read on this species include claims 1-8, 12-13, 15, 17-18, and 20-23. Additionally, Applicants respectfully submit that at least independent claims 1, 17, 21, 22, and 23 as they are currently presented are generic to at least the species identified as a) Figure 2; b) Figure 3; c) Figure 4; d) Figure 5; and e) Figure 6.

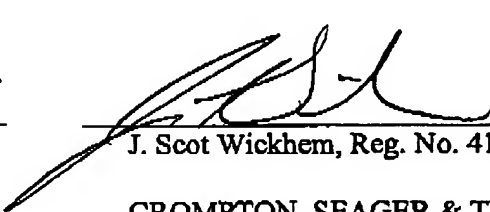
Examination of the claims is respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

ROBERT BURGMEIER et al.

By their Attorney,

Date: March 24, 2005


J. Scot Wickhem, Reg. No. 41,376

CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-934